GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Panchayat Raj and Rural Development Department – Anti Corruption Bureau Trap Case – Allegations of demanding and acceptance of bribe for an amount of Rs.20,000/- from the complainant for doing official favour – Trapped by Anti-Corruption Bureau on 31.01.2023 – Disciplinary proceedings initiated – Sri Sk.Shiraj, the then Engineering Assistant, M.Kothavalasa GP, Bondapalli Mandal, Vizianagaram District under the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 - Articles of Charge – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.VI) DEPARTMENT

G.O.RT.No. 353 **Dated: 14-05-2025**

Read the following:-

1. Radio Messages, dated 01.02.2023 and 02-02-2023 of the DSP, ACB, Vizianagaram Range, Vizianagaram.
2. Lr.Rc.No.03/RCT-VVZ/2023-S.12, dt.10.04.2023, 24.06.2024 & 23.09.2024 of DG, ACB, A.P., Vijayawada.
3. Govt. Memo No.1990364/Vig.VI/2023, dt.29.07.2024.
4. Govt. Memo No.1990364/Vig.VI/2023, dt.06.01.2025.
5. Lr.Rc.No.03/RCT-VVZ/2023- S.12, dt.29.01.2025 of DG, ACB, A.P., Vijayawada.
6. Govt.Memo No.1990364/Vig.VI/2023, dt.09.02.2025.
7. Lr.No.PRR06-31023(32)/3/2023-VIG-ECRWSS, dt.24.03.2025 of ENC, RWS&S.
8. G.O.Rt.No. , PR&RD (Vig.VI) Dept., dt. /05/2025.

Order :-

It is proposed to hold an inquiry against Sri Sk.Shiraj, the then Engineering Assistant, M.Kothavalasa GP, Bondapalli Mandal, Vizianagaram District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I). A statement of the imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri Sk. Shiraj, the then Engineering Assistant, M.Kothavalasa GP, Bondapalli Mandal, Vizianagaram District is directed to submit written statement of his defense within 10 days from the date of receipt of this G.O.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore specifically admit or deny each article of charge.

5. Sri Sk.Shiraj, the then Engineering Assistant, M.Kothavalasa GP, Bondapalli Mandal, Vizianagaram District is further informed that if he does

(Contd.P-2)

not submit his written statement of defence on or before the date specified in para 3 above, or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rules 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991, or the orders/directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry against him exparte, based on the material available on record.

6. Attention of Sri Sk.Shiraj, the then Engineering Assistant, M.Kothavalasa GP, Bondapalli Mandal, Vizianagaram District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from any person in respect of any matter dealt within these proceedings, it will be presumed that Sri Sk.Shiraj, the then Engineering Assistant, M.Kothavalasa GP, Bondapalli Mandal, Vizianagaram District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the proceedings shall be acknowledged along with Annexure-I, II, III & IV.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Sk. Shiraj , the then Engineering Assistant, M.Kothavalasa GP, Bondapalli Mandal, Vizianagaram District (w.e) through the Engineer-in-Chief, Rural Water Supply & Sanitation Department, Vijayawada.
The Engineer-in-Chief, Rural Water Supply & Sanitation Department, Vijayawada with a request to serve the orders on the Charged Officer with dated acknowledgement and send the same to the Government for record.

Copy to:
The Panchayat Raj & Rural Development (Est.II) Department.
The Director General, Anti Corruption Bureau, AP, Vijayawada.
The Secretary to Vigilance Commission, APVC, Velagapudi.
Sf/Sc

// FORWARDED :: BY ORDER //

SECTION OFFICER

(Contd.P-3)

ANNEXURE – I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI SK. SHIRAJ , THE THEN ENGINEERING ASSISTANT, M.KOTHAVALASA GP, BONDAPALLI MANDAL, VIZIANAGARAM DISTRICT

That Sri Shaik Shiraj, S/o Shaik Subbani, Engineering Assistant, Maruvada Kothavalasa Grama Sachivalayam, Bondapalli Mandal, Vizianagaram District (hereinafter referred to as Government Servant) while functioning as such during the period between 07.11.2019 and 31.01.2023 (till the date of trap of Assistant Engineer, Rural Water Supply & Sanitation Department, Dattirajeru Mandal) committed grave misconduct in as much as:

CHARGE:

That the Government Servant in abuse of his official position demanded a bribe of Rs.25,000/- by the Government Servant Sri Shaik Shiraj on behalf of the Assistant Engineer, Rural Water Supply & Sanitation Department for already recording M-Book and to handover the said M-Book to the concerned Panchayat Secretary. Government Servant also stated with the complainant that the Assistant Engineer pressured him to collect and gave the bribe amount of Rs.25,000/- to him to hand over the M-Book. The complainant also confirmed that the Government Servant demanded a bribe amount of Rs.25,000/- from him on behalf of the Assistant Engineer and requested the Assistant Engineer to reduce the bribe amount.

The Assistant Engineer reduced the bribe amount to Rs.20,000/-. Thus , Sri Shaik Shiraj, S/o Shaik Subbani, Engineering Assistant, Maruvada Kothavalasa Grama Sachivalayam, Bondapalli Mandal, Vizianagaram District by his above-mentioned acts exhibited lack of integrity, devotion to duty, conduct unbecoming of a Government Servant, and thereby contravened Rule 3(1) & 3(2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

(Contd.P-4)

ANNEXURE – II

STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI SK. SHIRAJ , THE THEN ENGINEERING ASSISTANT, M.KOTHAVALASA GP, BONDAPALLI MANDAL, VIZIANAGARAM DISTRICT

Sri Shaik Shiraj, S/o Shaik Subbani is a native of Cantonment, Vizianagaram Town. His date of birth is 01.06.1993. He entered into Government Service on 07.11.2019 as Engineering Assistant Gr-II and worked at Maruvada Kothavalasda Panchayat, Bondapalli Mandal, Vizianagaram District from 07.11.2019 to 31.01.2023 (date of trap of Assistant Engineer, RWS&S). He is due to retire on attaining the age of superannuation on 31.05.2055. He is hereinafter referred to as Government Servant (G.S).

CHARGE:

That the Government Servant in abuse of his official position demanded of bribe of Rs.25,000/- by Government Servant Sri Shaik Shiraj on behalf of the Assistant Engineer, RWS&S for already recording M-Book and to handover the said M-Book to the concerned Panchayat Secretary. Government Servant also stated with the complainant that the Assistant Engineer pressured him to collect and gave the bribe amount of Rs.25,000/- to him to hand over the M-Book. The complainant also confirmed that the Government Servant demanded a bribe amount of Rs.25,000/- from him on behalf of the Assistant Engineer and requested the Assistant Engineer to reduce the bribe amount. The Assistant Engineer reduced the bribe amount to Rs.20,000/-.

FACTS AND EVIDENCE:

That on 30.01.2023 Sri Karrothu Srinivasa Rao, S/o Appalaraju, Sarpanch, Maruvada Kothavalasa Village, Bondapalli Mandal, Vizianagaram District came to the office of the DSP, ACB, Vizianagaram and presented a typed complaint stating that he along with his family members has been residing in Maruvada Kothavalasa Village, Bondapalli Mandal, Vizianagaram District. He has been working as Sarpanch of Maruvada Kothavalasa Village, Bondapalli Mandal, Vizianagaram District since 03.04.2021. On 30.01.2023 at 15.00 hours, the complainant Sri Karrothu Srinivasa Rao lodged a complaint stating that as per the oral instructions of his Mandal Officials and funds under the 14th Finance Commission, on 03.06.2022 conducted Grama Sabha under his leadership prepared an agenda and passed a resolution for the construction of CC drains from the residential houses of Dasari Anasuya to Neelamsetti Kamayya, Korrothu Krishna to Dasari Ramana, Mahanthi Suryanarayana to Kandi Ramu and Korada Laxmana to Korada Chandrunaidu and culvert at old school in his village. To this effect, he entered the same in the Village Resolution Book. Later, he submitted the above-said Resolution to Sri Danajaya Rao, J.E. RWS, Bondapalli Mandal. Then, Sri Dhananjaya Rao, J.E, RWS prepared an estimate for the said constructions. On the oral instructions of Sri Dhananjaya Rao, J.E. he nominated Smt. Boorle Durgamba, Contractor to execute the above-mentioned works. Thereon, the said contractor started the above works in

(Contd.P-5)

the first week of June 2022 and completed the same within 15 days. Smt. Boorle Durgamba entrusted the work for processing bills as she is his own sister and a resident of Vishakhapatnam. In the last week of June 2022 Sri Dananjaya Rao, J.E., Rural Water Supply, Bondapalli Mandal inspected the above works and recorded them in M-Book. Sri Dhananjaya Rao had to handover the M-Book immediately to the Panchayat Secretary of the village, but he failed to do the same. Later, in July 2022 Sri Dhanajaya Rao, J.E. was transferred to Dattirajeru Mandal. He came to know through Shiraj, Engineering Assistant, M. Kottavalasa Sachivalayam that Sri Dhananjaya Rao, Assistant Engineering demanded a bribe of Rs.25,000/- for already recording the M-Book and to hand over the said M-Book to the concerned panchayat secretary. Later, he made several phone calls to Sri Dhananjaya Rao several times and asked about the M-Book, he firmly stated that he would hand over the M-Book to the concerned panchayat secretary if he paid a bribe of Rs.25,000/- to him, otherwise, the M-Book would remain with him. Later, he met Sri Dhananjaya Rao at his office several times and requested to hand over the M-Book to the panchayath secretary due to the pressure built on him by the contractor for granting bills. On that, the JE firmly stated that he would hand over the M-Book to the concerned panchayat secretary if he paid a bribe of Rs.25,000/- to him. Later, Shiraj, Engineering Assistant, M. Kottavalasa Village informed him that Sri Dananjaya Rao, J.E pressing him to collect and gave the bribe amount of Rs.25,000/- to him to hand over the M-Book.

On 28.01.2023 at about 13.00 hours, he ranged up a call to J.E. and asked him to talk, on that the JE informed that he was present at the Rural Water Supply Office, Gajapathinagaram and asked him to come to the office and talk to him. Later, on the same day at about 13.30 hours, he met Sri Dhananjaya Rao, J.E. and asked about his demand for a bribe of Rs.25,000/- through Shiraj and requested him to reduce the bribe amount. Then Sri Dhananjaya Rao, J.E. reduced the bribe amount to Rs.20,000/-. Then he informed to Sri Dhananjaya Rao, J.E that Shiraj was struggling to give money to him and he would bring and give money to him. On that, he responded positively. He has recorded the voice conversation between himself and Sri Dhananjaya Rao on his mobile phone. Later, after some time he again met Sri Dhananjaya Rao and asked him when and where he should pay the bribe amount to him, on that the JE informed him to pay the bribe amount within two days and then he would hand over the M-Book. Then the complainant informed his Sister/contractor Smt. Burle Durgamba regarding the demand for a bribe by the J.E., on that, she expressed her unwillingness and informed him to report the matter to Anti Corruption Bureau.

As he was not willing to pay the bribe, the complainant approached Deputy Superintendent of Police, Anti Corruption Bureau, Vizianagaram on 30.01.2023 at 1500 hours and lodged a typed report with a request to take necessary legal action against the Assistant Engineer duly mentioning that the conversation that took place between himself and Assistant Engineer was recorded in the phone memory card and he will produce the same before the Anti Corruption Bureau Officials as and when required.

After following due procedure, the Deputy Superintendent of Police, Anti Corruption Bureau, Vizianagaram Range registered the complaint as a case in Cr. No.01/RCT-ACB/VZM/2023 U/s 7 of PC Act, 1988 (As Amended in 2018), on 31.01.2023 at 1245 hours and took up investigation.

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During the investigation, on 31.01.2023 at 12.45 hours the DSP, Anti Corruption Bureau, Vizianagaram secured the presence of two mediators viz. 1) Sri Chodipalli Ramu, S/o.Late Nookayya, Age:46 Years, Occ: Goods & Service Tax Officer, O/o the Joint Commissioner (ST), Vizianagaram Division, R/o.Plot No.16, Sai Lalitha Nagar, K.L. Puram, Vizianagaram Town, N/o Gadivalasa Village, Karasavalasa Panchayat, Salur Mandal, Parvathipuram Manyam District, and 2) Sri Koppisetty Tata Rao, S/o Late Satyanarayana, age: 58 Years, Occ: Sr. Asst., O/o the Joint Commissioner (ST), Vizianagaram Division, R/o & N/o MIG-I, 275, Phase-III, VUDA Colony, Vizianagaram Town and conducted Pre-Trap Proceedings on 31.01.2023 from 1300 hours to 1500 hours at the O/o Deputy Superintendent of Police, Anti Corruption Bureau, Vizianagaram Range which was reduced into writing by the mediators as pre-trap proceedings incorporating the serial numbers of the currency notes, a voice conversation between the Assistant Engineer and the complainant Sri Karrothu Srinivasa Rao, the demonstration of chemical tests and the instructions issued to the complainant Sri Karrothu Srinivasa Rao and the other members of the trap party.

On 31.01.2023 at about 1740 hours, the Assistant Engineer was successfully trapped at the cellar of Accused Officer’s residential apartment, Vertiport Apartment, Gowthamnagar, VUDA Colony, Phase-II, Vizianagaram Town by the ACB Officials when he further demanded and accepted the bribe of Rs.20,000/- from the complainant for showing the above said official favour. The chemical test was conducted on both the hand fingers of the Assistant Engineer, the right-hand fingers of Accused Officer yielded a positive result and his left-hand fingers remained colourless. The tainted currency notes were recovered from the instance of the Assistant Engineer in the bottle holder of his car’s right-side front door. The serial numbers of the recovered currency notes were tallied with the serial numbers of the currency notes mentioned in the pre-trap proceedings. The swabbing with cotton on the bottle holder of the right-side front door of the car of the Assistant Engineer from where the tainted currency was recovered was also subjected to the chemical test and the test yielded positive results. The Deputy Superintendent of Police secured the resultant solutions into three separate bottles, and the tainted currency notes were seized under the cover of the mediators' report. The DSP also seized a sample of sodium carbonate powder used in the chemical test under the cover of the mediators' report.

At the request of the Deputy Superintendent of Police, Anti Corruption Bureau, the Engineering Assistant Sri Sheik Shiraj, S/o Sheik Subhani produced the official favour files i.e. M-Book, Estimate Copy and contract certificate pertaining to the drainage and culvert works executed by the sister of the complainant before the mediators. At the request of Deputy Superintendent of Police, the DSP perused the M. Book and other records and furnished its particulars. The particulars are as follows:

Made-up file-1:

M-Book No.9282/A was issued to M. Kothavalasa Grama Pancahayath on 30.05.2022 and it is consisting 100 pages. The entries were written up to pages No.1 to 18 in which the measurements of the works executed by the sister of the complainant are recorded by the Accused Officer on 28.06.2022

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& 29.06.2022 and the check measured by the Deputy Executive Engineer concerned and duly signed by them. Further, the total bill was prepared to a tune of Rs.1,32,660/- on pages No.12 to 18.

Made-up file-2:

Contract Certificate regarding Construction of Pipe Culvert at School and CC Drain at Kotha Veedhi, Medara Veedi in Maruvada Kothavalasa Village, Bondapalli Mandal: The bill consisting of 1 sheet, in which Rs.1,32,660/- was recommended by the concerned Assistant Engineering Sri Bonkuru Dananjaya Rao (AO) for 1) Earth Work, 2) Sand Filling, 3) PCC 148 40 MM HBG Metal, 4) RCC Pipes & 5) VRCC 124.

Made-up file-3:

Detailed Cum Abstract Estimate for Construction of Pipe Culvert at School and CC Drain at Kotha Veedhi, Medara Veedi in Maruvada Kothavalasa Village, Bondapalli Mandal: This file is consisting 9 sheets and its total estimate cost is 1.68 Lakhs. 1st sheet is Cover Pager, 2nd sheet is Specification Report, 3rd sheet is Detailed cum- Abstract Estimate, 4th sheet is a lead statement, 5 to 7 sheets are a Date sheet and the 8th sheet is the Date for RCC S/S Pipes Non Pressure.

The Deputy Superintendent of Police seized the Photostat copies of the above files for further investigation after duly signed by the Mediators and the Deputy Superintendent of Police.

During post-trap proceedings, the Deputy Superintendent of Police, Anti Corruption Bureau questioned the Assistant Engineer as to why he had demanded and accepted the bribe of Rs.20,000/- from the complainant, the AO voluntarily stated that he had not demanded a bribe from the complainant but accepted a bribe of Rs.20,000/- as a formality from the complainant Sri Karrothu Srinivasa Rao when he offered voluntarily for already recording M. Book of the drainage and culvert works executed by complainant's sister in Maruvada Kothavalasa (Village) and to hand over the said M. Book to the Panchayat Secretary, Maruvada Kothavalasa Village, Bondapalli Mandal, Vizianagaram District. The confessional statement of the Accused Officer is as follows: He has been working as Assistant Executive Engineer, DattiRajeru Mandal, Vizianagaram District since 01.07.2022. Previously, he worked at Bondapalli Mandal from 07/2021 to 30.06.2022. The Surpanch (complainant) and Ward members passed a resolution and proposed to undertake drainage and culvert works in M.Kothavalasa Village. Based on the resolution passed by the Surpanch and Ward members, he prepared estimations and instructed the complainant to execute the above-said works. Then the complainant nominated one Smt. Burle Durgamba (sister of the complainant) as a contractor for the execution of the above works. Smt. Burle Durgamba executed the drainage and culvert works in M. Kothavalasa (Village) in June 2022. In June 2022 he visited the above-mentioned works and entered the measurements of the drainage and culvert works in the M. Book. During the same month, his Deputy Executive Engineer Smt. Kavita has check-measured the above works. The said works were executed as per the norms of their Department. Later, he was transferred to Datti Rajeru Mandal from Bondapalli Mandal in July 2022. But,

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he did not hand over the M. Book of the above works to his successor. Later, the complainant met him (AO) several times on behalf of his sister who is living with her family in Visakhapatnam. As such the complainant has been pursuing the process of the bills of the above works. The complainant contacted him several times over the phone for the said M. Book. On 28.01.2023 at about 13.00 hours when the complainant contacted him over the phone to meet him (AO), he asked the complainant to come and meet at Deputy Executive Engineer Office, Gajapathinagaram. Accordingly, on the same day at about 1330 hours, the complainant met him at Gajapathinagaram RWS&S Office. Later, the complainant met him and requested to hand over the M.Book to the Panchayat Secretary and assured him to give Rs.20,000/- as a formality voluntarily. Further, he told the complainant that he would hand over the M. Book to Engineering Assistant Sri Sk. Shiraj. Then the complainant left from RWS & S Office, Gajapathinagaram, later on, the same day he handed over the said M. Book to the Engineering Assistant Sri Sk. Shiraj and asked him to keep the M. Book in his custody till further instructions. On 31.01.2023 from 15.45 hours to 1642 hours he received two or three calls from the complainant, but he couldn't respond as he was busy. Similarly, during that period he received a phone call from Engineering Assistant, M.Kothavalasa Sri Sk. Shiraj and he told him to direct the complainant to his house after 05.00 PM. Later, at about 05.30 PM, while he was sitting in his car in the cellar of his apartment, Sri Karothu Srinivasa Rao came, wished him and requested to hand over the M. Book of drainage and culvert works of his Village to the Panchayat Secretary. Then Sri Karrothu Srinivasa Rao gave him a wad of Rs.20,000/- voluntarily as office formality. He received the amount of Rs.20,000/- with his right hand, kept the same in the bottle holder of his car's right side front door and assured the complainant to give instructions to Engineering Assistant Sri Sk. Shiraj to hand over the M. Book to the Panchayat Secretary. Then the said Srinivasa Rao went out of his apartment within a short while the Anti Corruption Bureu Officials rushed to his apartment cellar and surrounded him while he was sitting in his car.

Then the Deputy Superintendent of Police secured the presence of the complainant who was waiting outside of the office through his staff and asked him to narrate what had happened after he had left the trap party. He voluntarily stated that on 31.01.2023 at about 17.30 hours, after receiving instructions from the DSP, he went into the residential apartment of Assistant Executive Engineer situated at Gowthamnagar, VUDA Colony, Phase-II and found the Assistant Executive Engineer Sri B. Dhananjaya Rao sitting in his car in his apartment cellar. He went nearer to the Assistant Executive Engineer and wished him and asked about his work. The Assistant Executive Engineer reciprocated him and asked him whether he brought the demanded bribe amount or not, to which he replied positively. Then Assistant Executive Engineer asked him to pay the amount. Later, he took the tainted amount of Rs.20,000/- from his shirt pocket with his right hand and handed over the same to the Assistant Executive Engineer, who received the said amount with his right hand and kept the same in the bottle holder of his car's right side front door. At that time he and the Assistant Executive Engineer are only in the car and another person is present in the cellar at a distance. After receiving the amount the Assistant Executive Engineer assured him that he would instruct the Engineering Assistant Sri Sk. Shiraj to hand over the M. Book to the Panchayat Secretary, Maruvada

(Contd.P-9)

Kothavalasa. Then he came out from the apartment cellar of the Assistant Executive Engineer and gave the pre-arranged signal by wiping his face with his handkerchief to Sri M. Maheswara Rao, Inspector, Anti Corruption Bureau. Immediately, the Deputy Superintendent of Police, Anti Corruption Bureau along with the mediators and other Anti Corruption Bureau officials rushed into the apartment cellar of Assistant Executive Engineer and he showed the Accused Officer who sat in his car.

When the Deputy Superintendent of Police confronted the complainant with the version of the Assistant Engineer, the complainant stated that the version of the Assistant Engineer was not correct and the Assistant Engineer had accepted the bribe amount of Rs.20,000/- from the complainant when the complainant himself gave the amount of Rs.20,000/- voluntarily as office formality to hand over the M. Book to the Panchayat Secretary, on that the complainant stated that the version of the Accused Officer is not correct and the Accused Officer further demanded the bribe of Rs.20,000/- on 31.01.2023 at about 17.40 hours to hand over the said M. Book to Panchayat Secretary, Maruvada Kothavalasa Village, he paid the bribe of Rs.20,000/- to Accused Officer who received the tainted notes with his right hand and kept the same in bottle holder of his car right side front door. Hence, the version of the Accused Officer is not correct.

On 31.01.2023, the Assistant Engineer further demanded the bribe of Rs.20,000/- for already recording M. Book pertaining to the drainage and culvert works executed by the Sister of the Complainant and as a motive to hand over the said M. Book to the Panchayat Secretary, Maruvada Kothavalasa Village, Bondapalli Mandal, Vizianagaram District and on his further demand only, he paid the bribe of Rs.20,000/- to the Assistant Engineer to do the said official favour.

The investigation officer examined the following witnesses who were present at the scene of the offence at the time of the trap and conducted post-trap proceedings in the presence of the mediators and the mediators incorporated their statements in detail in the post-trap proceedings and also examined the witnesses during the investigation.

Witness No.1: Sri Karrothu Srinivasa Rao, S/o Appalaraju, 47 Years, Sarpanch, Maruvada Kothavalasa Village, Bondapalli Mandal, Vizianagaram District: He is the complainant, who speaks about the contents of his complaint dt.30.01.2023 at 15.00 hours submitted to the Deputy Superintendent of Police, Anti Corruption Bureau, and also speaks about the contents of mediators Report -I & II dated:31.01.2023 to concerning to him. The statement of the complainant of the demand bribe amount of Rs.20,000/- by the Assistant Engineer, the contents of pre-trap and post-trap proceedings to the extent concerning to him, giving his statement U/s 164 Cr.P.C. before the Addl. Judicial First Class Magistrate, Vizianagaram on 09.02.2023, wherein he deposed reiterating the contents of the complaint and his participation in pre-trap and post-trap proceedings concerning him. He also stated that the Accused Officer -2 demanded a bribe on behalf of Accused Officer -1 for handing over M. Book pertaining to the works executed by his sister and Accused Officer -2 kept the M. Book with him till payment of bribe by him to Accused Officer -1, etc. facts.

(Contd.P-10)

Witness No. 02: Sri Chodipalli Ramu, S/o Late Nookayya, Age: 46 years, Occ: Goods & Service Tax Officer, O/o the Joint Commissioner (ST), Vizianagaram Division, R/o Plot No.16, Sai Lalitha Nagar, K.L. Puram, Vizianagaram Town, N/o Gadivalasa Village, Karasavalasa Panchayat, Salur Mandal, Parvathipuram Manyam District (Mediator-1): He is the first mediator and speaks about the contents of Mediator's Report-I, dated:31.01.2023 & Mediator's Reports-II, dated:31.01.2023 / 01.02.2023 etc. facts.

Witness No. 03: Sri Koppisetty Tata Rao, S/o Late Satyanarayana, Age: 58 years, Occ: Sr. Asst., O/o the Joint Commissioner (ST), Vizianagaram Division, R/o & N/o MIG-1, 275, Phase-III, VUDA Colony, Vizianagaram Town (Mediator-2): He is the second mediator and speaks about the contents of Mediator's Report-I, dated:31.01.2023 & Mediator's Reports-II, dated:31.01.2023 / 01.02.2023 etc. facts.

During the investigation, Inspector, Anti Corruption Bureau, Vizianagaram obtained the following documentary evidence.

1. Complaint dated:30.01.2023 given by the complainant: It reveals the fact of demand of bribe amount of Rs.20,000/- by the Accused Officer-1 from the complainant as a reward for already recording M. Book pertaining to the drainage and culvert works executed by the Sister of the Complainant and as a motive to hand over the said M. Book to the Panchayath Secretary, Maruvada Kothavalasa Village, Bondapalli Mandal, Vizianagaram District.

2. FIR. in Cr. No. 01/RCT-ACB/VZM/2023, dated:31.01.2023: It reveals that the complaint dated:30.01.2023 was received from the complainant with regard to the demand for a bribe by the Accused Officer -1 and the registration of the case against the Accused Officer -1 in Cr. No.01/RCT-ACB/VZM/2023 U/s 7 of PC Act, 1988 (As Amended in 2018), on 31.01.2023 at 1245 hours of ACB Vizianagaram Range.

3. Mediators Report-I conducted in the O/o Deputy Superintendent of Police, Anti Corruption Bureau, Vizianagaram Range: It reveals pre-trap happenings, dated:31.01.2023, facts of the complaint and voice conversation between the AO and the complainant.

4. Mediators Report-II conducted at the cellar of Accused Officer's residential apartment, Vertiport Apartment, Gowthamnagar, VUDA Colony, Phase-II, Vizianagaram Town: It reveals post-trap happenings, seizure of tainted currency, M-Book No.9282/A, Contract Certificate, Detailed Cum Abstract Estimate and connected documents, dated:31.01.2023.

5. Letter No.55/2023/Supdt., dated:06.10.2023 of the Superintending Engineer, PR Circle, Zilla Parishad Compound, Vizianagaram: It reveals that 1) Job Chart of Engineering Assistant and 2) Service Particulars of the Government Servant Sri Shaik Shiraj, etc.facts.

(Contd.P-11)

6. Statement of the complainant Sri Karrothu Srinivasa Rao recorded U/s 164 Cr. P.C.: It reveals that the Government Servant demanded a bribe on behalf of the Assistant Engineer for handing over M. Book pertaining to the works executed by the sister of the complainant and the Government Servant kept the M. Book with him till payment of the bribe by the complainant to the Assistant Engineer, etc. facts.

Hence the charge against the Government Servant that he demanded a bribe amount of Rs.25,000/- from the complainant on behalf of the Assistant Engineer for showing official favour is held substantiated.

Thus the Government Servant, Sri Shaik Shiraj, S/o Shaik Subbani, Engineering Assistant, Maruvada Kothavalasa Grama Sachivalayam, Bondapalli Mandal, Vizianagaram District by his above-mentioned acts has exhibited a lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3(1) & 3(2) of A.P. Civil Services (Conduct) Rules, 1964.

Thus, the Government Servant Sri Shaik Shiraj, S/o Shaik Subbani, 29 Years, Engineering Assistant, Maruvada Kothavalasa Grama Sachivalayam, Bondapalli Mandal, Vizianagaram District rendered himself for regular departmental enquiry for major penalty under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

(Contd.P-12)

ANNEXURE – III

LIST OF THE DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI SK. SHIRAJ , THE THEN ENGINEERING ASSISTANT, M.KOTHAVALASA GP, BONDAPALLI MANDAL, VIZIANAGARAM DISTRICT ARE PROPOSED TO BE SUSTAINED

DOCUMENTARY EVIDENCE:-

The following documentary evidence is available on record:

1. Complaint dated:30.01.2023 given by the complainant: It reveals the fact of demand of bribe amount of Rs.20,000/- by the AO-1 from the complainant as a reward for already recording M. Book pertaining to the drainage and culvert works executed by the Sister of the Complainant and as a motive to hand over the said M. Book to the Panchayat Secretary, Maruvada Kothavalasa Village, Bondapalli Mandal, Vizianagaram District.

2. FIR. in Cr. No.01/RCT-ACB/VZM/2023, dated:31.01.2023 : It reveals that the complaint Dated:30.01.2023 was received from the complainant with regard to the demand for a bribe by the AO-1 and the registration of the case against the AO-1 in Cr. No.01/RCT-ACB/VZM/2023 U/s 7 of PC Act, 1988 (As Amended in 2018), on 31.01.2023 at 1245 hours of ACB, Vizianagaram Range.

3. Mediators Report-I in Cr. No.01/RCT-ACB/VZM/2023, U/s 7 of P.C. (Amendment) Act, 2018, dated 31.01.2023 drafted in O/o the DSP, ACB, Vizianagaram Range: It reveals pre-trap happenings, dated:31.01.2023, facts of the complaint and voice conversation between the AO and the complainant.

4. Mediators Report-II in Cr. No.01/RCT-ACB/VZM/2023, U/s 7 of P.C. (Amendment) Act, 2018, dated 31.01.2023 drafted at the cellar of AO's residential apartment, Vertiport Apartment, Gowthamnagar, VUDA Colony, Phase-II, Vizianagaram Town: It reveals post-trap happenings, dated:31.01.2023.

5. Letter No.55/2023/Supdt., dated 06.10.2023 of the Superintending Engineer, PR Circle, Zilla Parishad Compound, Vizianagaram: It reveals that 1) Job Chart of Engineering Assistant and 2) Service Particulars of the Government Servant Sri Shaik Shiraj, etc. facts.

6. Statement of the complainant Sri Karrothu Srinivasa Rao recorded U/s 164 Cr.P.C.: It reveals the demand and acceptance of a bribe amount by the Assistant Engineer and corroborates the facts of complaint, pre-trap and Post-Trap proceedings and also states that the Engineering Assistant demanded bribe on behalf of Assistant Engineer for handing over M. Book pertaining to the works executed by the sister of the complainant and Engineering Assistant kept the M.Book with him till payment of bribe by the complainant to Assistant Engineer, etc. facts.

7. Original Part-II statement (SI. No.01) mentioned in Annexure-III.

(Contd.P-13)

Any other document which is found to be relevant to the case will be produced at the time of inquiry.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

(Contd.P-14)

ANNEXURE – IV

LIST OF THE WITNESSES BY WHOM THE ARTICLES OF CHARGES FRAMED AGAINST SRI S.K.SHIRAJ, THE THEN ENGINEERING ASSISTANT, M.KOTHAVALASA GP, BONDAPALLI MANDAL, VIZIANAGARAM DISTRICT ARE PROPOSED TO BE SUSTAINED ORAL EVIDENCE:

The following oral evidence is available on record.

LW-01 : Sri Karrothu Srinivasa Rao, S/o Appalaraju, 47 Years, Sarpanch, Maruvada Kothavalasa Village, Bondapalli Mandal, Vizianagaram District: He will speak to the fact that he is the complainant in this case. He reaffirms the facts of his written complaint dated:30.01.2023 submitted to the DSP, ACB, Vizianagaram Range and all the facts of Pre-Trap and Post-Trap proceedings (Mediators Report-I & II), dated:31.01.2023 to the extent concerning to him and speaks about his examination by IO on 31.01.2023. Further, he speaks about his statement U/Sec. 164 Cr. P.C. recorded by the Addl. Judicial 1st Class Magistrate, Vizianagaram on 09.02.2023, etc. facts.

LW-02: Sri Chodipalli Ramu, S/o Late Nookayya, Age: 46 years, Occ: Goods & Service Tax Officer, O/o.the Joint Commissioner (ST), Vizianagaram Division, R/o Plot No.16, Sai Lalitha Nagar, K.L. Puram, Vizianagaram Town, N/o Gadivalasa Village, Karasavalasa Panchayat, Salur Mandal, Parvathipuram Manyam District (Mediator-1): He is the first mediator and speaks about the contents of Mediator's Report-I, dated:31.01.2023 & Mediator's Reports-II, dated:31.01.2023 / 01.02.2023 etc. facts.

LW-03: Sri Koppisetty Tata Rao, S/o Late Satyanarayana, Age: 58 years, Occ: Sr. Asst., O/o.the Joint Commissioner (ST), Vizianagaram Division, R/o & N/o MIG-1, 275, Phase-III, VUDA Colony, Vizianagaram Town (Mediator-2): He is the second mediator and speaks about the contents of Mediator's Report-I, dated:31.01.2023 & Mediator's Reports-II, dated:31.01.2023 / 01.02.2023 etc. facts.

LW-04: Sri P. Ramachandra Rao, DSP, ACB, Vizianagaram Range : He is Trap laying officer, to speak to the fact of registration of FIR, laying of trap, arrest of the AO and investigation, etc. facts.

LW-05: Sri M. Maheswara Rao, Inspector of Police, Anti-Corruption Bureau, Vizianagaram Range: To speak to the fact of his conducting further investigation, receiving sanction order and filing charge sheet etc. facts.

Any other witness, whose evidence is found to be relevant to the case, will be produced at the time of inquiry.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER